

Remarks

Claims 15, 16, 25-29 and 41 were presented for examination in the present application. Claims 1-14, 17-24, and 30-40 are canceled without prejudice. Claims 27-29 are withdrawn. Claim 42 is new. Thus, claims 15, 16, 25-29, 41 and 42 are pending in the present application upon entry of this amendment. Claim 1 is independent.

Applicants greatly appreciate the courtesies extended by the Examiner during the Examiner Interview of December 9, 2011 ("Examiner Interview"). In accordance with that interview, Applicants submit the following.

Independent claim 16, as well as dependent claims 15, 25, 26 and 41, were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,499,729 to Greenwood et al. (Greenwood).

Independent claim 16 recites, in part, forming a slit through each residual of a depression with each slit being resealable and having a centerline. Each slit centerline is formed coincident to a corresponding centerline of its depression. The slits have a width of about 0.040 to about 0.080 inches. The domed portion has 35 to 60 of the slits. The slits are in a pattern on the domed portion having a series of radial extensions with each of the series of radial extensions having an equal number of the slits.

Applicants submit that amended claim 16 is not disclosed or suggested by Greenwood.

The Office Action concedes that Greenwood lacks the specific slit width as follows: wherein said slits that have a width of about 0.040 to about 0.080 inches.

Further, FIG. 9 of Greenwood is clearly a separate embodiment from FIG.

4 of Greenwood. FIG. 9 of Greenwood shows 36 apertures in a radial pattern. FIG. 4 of Greenwood shows a slit-like configuration. Thus, in no one embodiment of Greenwood are both features disclosed. Therefore, Greenwood fails to disclose or suggest that each centerline of each slit is formed coincident to a corresponding one centerline of its depression with each slit having a width of about 0.040 to about 0.080 inches, and that the domed portion has 35 to 60 of the slits, as recited by claim 16.

Moreover, the radial pattern of Greenwood fails to disclose or suggest radial extensions having an equal number of the slits, as recited in claim 16.

Page 6, line 33 through page 7, line 14 of the present application provides as follows:

As shown in FIG. 1, slits 18 preferably are arranged in a starburst pattern having a series of 12 radial extensions equally circumferentially angularly spaced 30° from each other and each having three or four equally radially spaced individual slits 18 and underlying depressions 20. It has been found that this arrangement of slits 18 provides optimal airflow. In this pattern, preferably there are about 48 slits. For this number of slits 18, the preferred range of slit width is from about 0.040 to about 0.080 inches, more preferably from about 0.058 to about 0.062 inches. The most preferred slit width is about 0.060 inches. If the width of slits 18 is increased, preferably the number of total slits is decreased. Conversely, if the width of individual slits 18 is decreased, the number of slits is increased to maintain optimum functioning.

Therefore, each of the centerlines of the slits being formed coincident to a corresponding one of the centerlines of the depressions with each slit having a width of about 0.040 to about 0.080 inches, and where the domed portion has 35 to 60 of the slits, and where the slits are in a pattern on the domed portion having a series of radial extensions with each of the series of radial extensions having an equal number of the slits, as recited by claim 16, provides optimal airflow that is clearly not achieved by Greenwood.

Accordingly, it is respectfully submitted that the Greenwood does not disclose or suggest claim 16. It is further respectfully submitted that claim 16, as well as claims 15, 25, 26 and 41 that depend therefrom, are patentable over Greenwood.

Thus, Applicants respectfully request favorable reconsideration and withdrawal of all rejections of the pending claims.

In addition, page 5 of the Office Action states that Official notice is taken that providing the perforations (which includes the slits) in such a pattern is merely one of a myriad of such known patterns and it is respectfully submitted that providing such a pattern amounts to a mere matter of design choice to one having ordinary skill in the art and thus obvious to one having ordinary skill in the art.

As discussed above, the presently claimed invention is seeking to achieve an optimal airflow. Applicants respectfully submit that patterns to achieve an optimal airflow are not of such a notorious character so as to be instantly and unquestionably recognized as "well-known" in the art. Applicants request withdrawal of the rejection based on the facts officially noticed by the Examiner.

Claim 42 has been added to point out various aspects of the present application. Support for new claim 42 can be found at least on page 6, line 33 through page 7, line 14 and FIG. 1. No new matter is added.

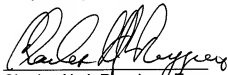
New claim 42 is not intended to be limited to the specific mechanisms of patentability previously argued with respect to any prior claims in this or any related applications. Accordingly, Applicants hereby rescind any disclaimer of claim scope. Thus, any prior art, for which such a disclaimer was made to avoid, may need to be revisited by the Examiner with respect to claim 42.

Applicants respectfully submit that claim 42 is in a condition for allowance. For example, claim 42 recites that radial extensions are 12 radial extensions. This feature of claim 42 is not disclosed or suggested by Greenwood.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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